

UNITED STATES DISTRICT COURT

DISTRICT OF NEW HAMPSHIRE

* * * * *

*

UNITED STATES OF AMERICA

*

*

Case No.

vs.

*

06-CV-00354-PB

*

GENERAL ELECTRIC COMPANY

*

*

*

* * * * *

DEPOSITION OF RICHARD A. WHITNEY

Deposition taken at the Office of the United
States Attorney, James C. Cleveland Federal
Building, 53 Pleasant Street, Concord, New
Hampshire, on Friday, April 20, 2007,
commencing at 10:00 a.m.

Court Reporter: Brenda K. Hancock, RMR, CRR

CCR No. 55 (NH RSA 331-B)

Page 2

1 APPEARANCES:

2 For the Government: U.S. DEPARTMENT OF JUSTICE
 ENVIRONMENTAL & NATURAL
 RESOURCES DIVISION
 4 ONE GATEWAY CENTER, SUITE 616
 NEWTON CENTER, MA 02458
 By: Catherine Adams Fiske, Esq.

5 U.S. DEPARTMENT OF JUSTICE
 6 ENVIRONMENTAL & NATURAL
 RESOURCES DIVISION
 7 P.O. Box 7611
 601 D Street, NW, Room 2121
 8 Washington DC 20004
 By: Laura J. Rowley, Esq.

9 U.S. ENVIRONMENTAL PROTECTION
 10 AGENCY
 Office of Site Remediation &
 Restoration
 12 One Congress Street
 Suite 1100 (HBS)
 13 Boston, MA 02114-2023
 By James E. Israel, Investigator

14 For the Defendant: MINTZ LEVIN COHN FERRIS GLOVSKY
 AND POPEO PC
 15 One Financial Center
 Boston, MA 02111
 By: William 'Mo' Cowan, Esq.
 -and-
 18 Kathryn Bagley Schadinger, Esq.

19 Also present: Madeline Fleischer
 20
 21
 22
 23

Page 3

1 STIPULATIONS

2 It is agreed that the deposition shall be taken
 3 in the first instance in stenotype and when
 4 transcribed may be used for all purposes for which
 5 depositions are competent under the Federal Rules of
 6 Civil Procedure.

7 Notice, filing, caption and all other formalities
 8 are waived. All objections except as to form are
 9 reserved and may be taken in court at time of trial.

10 It is further agreed that if the deposition is
 11 not signed within thirty (30) days after submission
 12 to counsel, the signature of the deponent is waived.

Page 4

1 INDEX

2
3 WITNESS:

4 RICHARD A. WHITNEY

5 EXAMINATION:	Page
6 By Ms. Rowley	5
7 By Mr. Cowan	29
8 By Ms. Rowley	51
9 By Mr. Cowan	63
10 By Ms. Rowley	67

11 EXHIBITS FOR IDENTIFICATION:

12 Number	Page
13 1 Declaration of Richard A.	
14 Whitney.....	22

15
 16
 17
 18 (Exhibit attached to transcript)
 19
 20
 21
 22
 23

Page 5

1 RICHARD A. WHITNEY,

2 having been duly sworn by the court
 3 reporter, was deposed and testified as
 4 follows:

5 EXAMINATION

6 BY MS. ROWLEY:

7 Q. Good morning, Mr. Whitney. My name is
 8 Laura Rowley, and I'm an attorney for the United
 9 States in this matter.

10 A. Mm-hmm.

11 Q. Could you please state your name.

12 A. Richard A. Whitney.

13 Q. And your address.

14 A. 72 Ring Road in Wilton.

15 Q. Mr. Whitney, I know you've been deposed
 16 before, but I'll just remind you that in this
 17 deposition, please listen to the question that I ask
 18 you before giving your answer, and just give a verbal
 19 answer for the sake of the court reporter, so that
 20 she can write it down. If you don't understand a
 21 question I ask, just ask me to rephrase it or repeat
 22 it until you do understand.

23 A. Okay, because sometimes I don't hear.

Page 6

1 Q. Okay. Is there any reason that you
2 can't testify truthfully and fully today?
3 A. Pardon?
4 Q. Is there any reason that you can't
5 testify truthfully and fully today?
6 A. No.
7 Q. Okay.
8 MR. COWAN: Laura, before you get
9 going, I'm sorry to interject, but are we going to do
10 any stipulations? It's up to you; I'm just curious.
11 MS. ROWLEY: We could. Do you have
12 any?
13 MR. COWAN: Well, the usual. All
14 objections except as to form waived till time of
15 trial and waive the reading and signing, but it's up
16 to you. I don't know what your preferences are.
17 MS. ROWLEY: I'm fine with waiving the
18 reading and signing. That seems to make sense.
19 MR. COWAN: And as to objections?
20 MS. ROWLEY: Except as to form.
21 MR. COWAN: All right.
22 MS. ROWLEY: Is that fine?
23 MR. COWAN: Sure, sure.

Page 7

1 MS. ROWLEY: Okay.
2 CONTINUING EXAMINATION BY MS. ROWLEY:
3 Q. Mr. Whitney, did you used to work at
4 Fletcher's Paint Works in Milford, New Hampshire?
5 A. Yes.
6 Q. When was that?
7 A. Pardon?
8 Q. When was that?
9 A. I don't remember the exact years, but I
10 know I was there when President Kennedy was shot,
11 which was '63, I believe.
12 Q. And about how long did you work there?
13 A. Seven years, I think.
14 Q. What specific jobs did you do at
15 Fletcher's?
16 A. Run the forklift, I supplied all the
17 materials that came in, unloaded all the trucks and
18 that, made paint.
19 Q. What kind of materials did you unload
20 from trucks?
21 A. Chlorinated biphenyls, Whiting, Georgia
22 Clay, and then I used to drum up resins and that into
23 drums and waste, whatever, whatever came into the

Page 8

1 plant.
2 Q. Are you familiar with the term pyranol?
3 A. Yeah.
4 Q. And is pyranol the same thing as
5 chlorinated biphenyls?
6 A. I believe so, yeah.
7 Q. So, one of your jobs was unloading
8 pyranol or scrap pyranol off the trucks?
9 A. Yes.
10 Q. Where did this pyranol come from?
11 A. GE, and I think it was -- I can't think
12 of the other one's name now, but there was another
13 company, too, that was mixed in there.
14 Q. Where did you typically unload a truck
15 of pyranol when it came in?
16 A. To begin with, it was at the plant, and
17 then after we got more over there than we could
18 handle in that one spot, they put them over on
19 Cottage Street.
20 Q. When Mr. Fletcher first started to
21 receive the pyranol from GE, what were his plans?
22 What was he planning to do with it?
23 A. I don't know. He never let me in on

Page 9

1 it. They said that they'd try to find a buyer for
2 it, and I guess they did.
3 Q. Do you know how he found a buyer?
4 A. No. All I know is that all of a sudden
5 we were getting some ready to go.
6 Q. Do you know whether Mr. Fletcher ever
7 advertised the pyranol in any chemical journals?
8 A. I don't know.
9 Q. Do you know whether he ever advertised
10 it anywhere?
11 A. Well, he just advertised his paint and,
12 apparently, some of that was in some of the paint.
13 Q. But you don't know whether he
14 specifically placed an ad just for pyranol?
15 A. No, I don't. No.
16 Q. When drums of this pyranol would arrive
17 from GE and you unloaded drums of it from the truck,
18 how would you describe the condition of those drums?
19 A. Most of them were pretty good, because
20 they --
21 Q. Were there some that were not?
22 A. Pardon?
23 Q. Were there some that were not in good

Page 10

1 shape?

2 A. Once in a while, you'd find one that
3 was leaking or something but not very often.

4 Q. What would happen if a drum came in and
5 it was in bad shape?

6 A. We'd put it in a good drum.

7 Q. And what would happen with that old
8 drum?

9 A. I don't know, but there used to be a
10 guy that would come around and picked up all the
11 drums, the drums that we couldn't use.

12 Q. When you were putting the pyranol from
13 the bad drum into a clean one or a good one, do you
14 know whether there were any spills that occurred when
15 that happened?

16 MR. COWAN: Objection. I'm going to
17 object to the reference of "bad drum." I'm not
18 really sure that's there's been any foundation for a
19 "bad drum."

20 MS. ROWLEY: I think he said "leaking,"
21 so I'll use that term.

22 THE WITNESS: Well, we'd usually put it
23 in another drum, that's all.

Page 11

1 CONTINUING EXAMINATION BY MS. ROWLEY:

2 Q. And did any of the pyranol spill while
3 you were transferring it from the leaking drum to the
4 new drum?

5 A. Not as a rule. Once in a while, you
6 might have an accident.

7 Q. When you were unloading the drums of
8 pyranol from a truck, did you come across any drums
9 that had loose or missing bungs?

10 A. Loose ones but not missing.

11 Q. Were there ever any gaskets that were
12 loose or missing?

13 A. Sometimes, yeah.

14 Q. Did this result in leaks or spills?
15 Did that result in leaks or spills?

16 A. Yeah. Usually, what we did is put new
17 gaskets on them and tighten them up.

18 Q. Did you ever spill pyranol on
19 yourself --

20 A. Yes.

21 Q. -- when you were unloading the trucks?
22 How often did that happen?

23 A. Every time we worked on it.

Page 12

1 Q. Were there other people helping you
2 unload the trucks?

3 A. Sometimes. Sometimes I'd unload it by
4 myself.

5 Q. And would they also spill the pyranol
6 on themselves?

7 A. Pardon?

8 Q. Would they also spill pyranol on
9 themselves?

10 A. Yeah.

11 Q. When you unloaded the drums from the
12 truck, where did you put them, or where did you store
13 them?

14 A. Well, to begin with, we'd just stand
15 them up and check them out, and whoever bought it,
16 we'd load it back on trucks for them.

17 Q. In between the time when you unloaded
18 the truck and checked them out and the time when
19 someone came to pick them up after they bought them,
20 how were they stored?

21 A. How were they what?

22 Q. How were the drums stored during that
23 intermediate time period?

Page 13

1 A. Usually standing right up.

2 Q. Did you ever store the drums laying on
3 their side?

4 A. Not until we went over to Cottage
5 Street.

6 Q. When was that?

7 A. I don't know what the dates are on
8 that. That's 40, 50 years ago.

9 Q. Right. But at some point you would
10 take drums over to another location, Cottage Street?

11 A. Yeah, yeah, when we got more than we
12 could handle at the main plant.

13 Q. And there you might store them stacked
14 on their side?

15 A. Yeah, they were stacked on their side.

16 Q. Okay. Did drums ever leak while they
17 were stored --

18 A. Occasionally. Occasionally, yeah.

19 Q. Okay. Did you or other employees at
20 Fletcher's ever test the contents of drums to measure
21 the specific gravity of the pyranol?

22 A. Yeah. We used to check it every load
23 that came in.

Page 14

1 Q. Every drum?
 2 A. Yeah.
 3 Q. Why did you do this?
 4 A. Pardon?
 5 Q. Why did you do this?
 6 A. We did it in the yard, and it had to be
 7 a specific gravity in order for the customer to take
 8 it.
 9 Q. The customer requested a specific
 10 number? This was at the request of the customer?
 11 A. Yeah, yeah.
 12 Q. So, who performed this testing?
 13 A. Usually Clyde Bishop.
 14 Q. Anyone else?
 15 A. I did a few of them, but usually I was
 16 too busy doing other stuff to be checking that.
 17 Q. If Clyde Bishop tested a drum, would
 18 you have had any reason to see the contents of that
 19 drum?
 20 A. To what?
 21 Q. To see the contents of that drum.
 22 A. No. When you took the sample out, that
 23 was it.

Page 15

1 Q. But if the sample met the correct
 2 specifications, what would happen to the drum after
 3 that?
 4 A. Well, if it meets specifications, it
 5 went to one section. If it didn't meet, we'd move it
 6 over to another and usually blend them together.
 7 Q. So, if a drum was tested by Clyde
 8 Bishop and it met the specifications, would you have
 9 had any reason along the way to see the contents of
 10 that drum?
 11 A. No.
 12 Q. So, what did you do with the pyranol
 13 that was too heavy or too light?
 14 A. After we got enough of them, we blended
 15 them together.
 16 Q. How did you do that?
 17 A. By dumping it into a tank and then
 18 pumping it up into a bigger tank and recirculating
 19 it.
 20 Q. How long did you have to recirculate
 21 it?
 22 A. Three or four days usually.
 23 Q. While you were doing this blending

Page 16

1 process, did spills of pyranol ever happen?
 2 A. Did we spill it?
 3 Q. Yeah.
 4 A. Not as a rule. Once in a while you
 5 might get a little bit of a spill but nothing -- no
 6 large amounts.
 7 Q. Okay. Did you ever have to treat the
 8 pyranol in any other way, not just blending it, but
 9 were there other things you had to do?
 10 A. Yeah. We had to run it through
 11 filters. We started getting black specks in it, so
 12 we would run it through I believe it was the Cuno
 13 filter.
 14 Q. And other than black specks, were there
 15 any other things that you had to filter out of the
 16 pyranol?
 17 A. No. Not as a rule, no.
 18 Q. How long did you have to filter the
 19 pyranol before the black specks were removed?
 20 A. How long?
 21 Q. Yes. You mentioned three or four days
 22 for blending. Was it about the same for filtering?
 23 A. After it was all blended, and usually

Page 17

1 they would run -- the filter was before it was
 2 blended, usually.
 3 Q. When you finished filtering and
 4 blending the pyranol, did you put it back into the
 5 same drums that it came out of?
 6 A. No.
 7 Q. What did you do with the old drums that
 8 it came out of?
 9 A. They used to stack them up, and there
 10 was a guy that used to come up and get them, get all
 11 the dirty drums and clean them, and then he'd sell
 12 them back to us.
 13 Q. Did you rinse the old drums out before
 14 you gave them to this company?
 15 MR. COWAN: Laura, I'm going to object.
 16 The questions are leading, including that one, so I'm
 17 going to object to the form of the question.
 18 THE WITNESS: I didn't hear all of
 19 that.
 20 CONTINUING EXAMINATION BY MS. ROWLEY:
 21 Q. Did you rinse the drum out before
 22 giving it to this company?
 23 MR. COWAN: Again, I'm going to object.

5 (Pages 14 to 17)

FPWIT009743

Page 18

1 Leading question.

2 THE WITNESS: Not that I know of.

3 CONTINUING EXAMINATION BY MS. ROWLEY:

4 Q. After you were finished filtering a
5 batch of scrap pyranol, what did you do with the
6 material that was filtered out, the black specks?

7 A. It was put in a barrel.

8 Q. Do you know what became of it after
9 that?

10 A. No. Two or three barrels that had that
11 in it was sitting there when I left.

12 Q. Where was it sitting?

13 A. Right in the yard.

14 Q. At which location?

15 A. Down by where we had the pump at the
16 time.

17 Q. Did you ever receive any special
18 instructions from General Electric concerning
19 handling the pyranol?

20 A. No.

21 Q. Did a driver for Fletcher's ever come
22 back from General Electric with any paperwork
23 regarding safety guidelines for handling pyranol?

Page 19

1 A. Not that I see.

2 Q. Did anyone who worked at Fletcher's
3 ever give you any special instructions about handling
4 pyranol?

5 A. I didn't hear that.

6 Q. Did anyone who worked at Fletcher's
7 ever give you any special instructions about handling
8 the pyranol?

9 A. No. They told us it wouldn't hurt us.

10 Q. Who told you that?

11 A. It would have been the boss at the
12 time, which was Earl Wesson.

13 Q. So, did anyone from either General
14 Electric or Fletcher's tell you to wear protective
15 gear, such as gloves or a mask while you were working
16 with it?

17 A. No.

18 Q. Did anyone ever tell you to avoid
19 inhaling the pyranol?

20 A. To what?

21 Q. To avoid inhaling the pyranol.

22 A. No.

23 Q. Did you ever see any warning labels on

Page 20

1 the drums that related to pyranol?

2 A. No. Usually, there was just the name
3 of the plant.

4 MR. COWAN: I'm going to object. I
5 understand this is a deposition, but I also
6 understand that the posture of this case at this time
7 is limited for purposes of the useful product
8 defense. I'm not really sure if this line of
9 questioning about the health hazards, if you will, of
10 PCB's in pyranol have anything to do with the posture
11 of the case at this point, and I'm going to object to
12 that line of questioning.

13 MS. FISKE: Are you instructing him not
14 to answer?

15 MR. COWAN: Oh, no, I can't instruct
16 him not to answer. I'm objecting to the line of
17 questioning.

18 MS. FISKE: Okay.

19 MS. ROWLEY: Okay, sure.

20 CONTINUING EXAMINATION BY MS. ROWLEY:

21 Q. When you were working with the pyranol,
22 you mentioned earlier that you might spill some on
23 yourself while you were unloading the trucks. Were

Page 21

1 there other occasions when you would spill the
2 pyranol on yourself?

3 A. Well, when you're filtering it, you
4 might get a little on you.

5 Q. How often would that happen?

6 A. Almost every load.

7 Q. What would happen when you spilled
8 pyranol on yourself?

9 A. You'd probably keep right on working,
10 you know.

11 Q. Did you work with other chemicals at
12 Fletcher's?

13 A. Yeah.

14 Q. Were any of those chemicals considered
15 hazardous?

16 A. Yeah. Some of them were, yeah.

17 Q. Do you remember which ones?

18 A. The ammonia. That was industrial
19 grade. They used to use that in the wax, floor wax,
20 and there was asbestos. There was quite a bit of
21 asbestos when they made the roof coating.

22 Q. When you worked with those chemicals,
23 did you take any safety precautions?

Page 22

1 A. No, they didn't have any.
 2 Q. Did anyone tell you they were unsafe?
 3 A. Oh, yeah, finally, after we'd worked on
 4 them for a number of years.
 5 Q. I'd like to show you a copy of this.
 6 It's a Declaration signed by you in January.
 7 MS. ROWLEY: I'd like to mark this as
 8 Exhibit 1.
 9 (Whitney Exhibit No. 1
 10 marked for identification)
 11 CONTINUING EXAMINATION BY MS. ROWLEY:
 12 Q. Have you had a chance to review this?
 13 A. Yeah, I think I did once before
 14 somewhere along the line.
 15 Q. Okay. This document is entitled
 16 "Declaration of Richard A. Whitney."
 17 A. Yes.
 18 Q. And do you recognize it?
 19 A. Yeah.
 20 Q. Is that your signature on the second
 21 page?
 22 A. Yeah.
 23 Q. Who contacted you regarding making this

Page 23

1 Declaration?
 2 A. I can't remember all the names of the
 3 people. I'm lucky if I can remember my own some
 4 days.
 5 Q. Do you remember when someone contacted
 6 you?
 7 A. A couple, three years ago, anyways, at
 8 least. I can't remember the dates.
 9 Q. Just regarding this specific
 10 Declaration that you made in January, 2007, do you
 11 remember when somebody first called you about this?
 12 A. Do I remember what?
 13 Q. When somebody first contacted you about
 14 this Declaration that you signed in January.
 15 A. I don't remember when it was. I can't
 16 remember back.
 17 Q. Do you recall somebody by the name of
 18 Joe Nassif?
 19 A. What was his last name?
 20 Q. Nassif, N-A-S-S-I-F.
 21 A. No, I don't think so. I might
 22 recognize him if I see him.
 23 Q. Do you recall someone named Patrick

Page 24

1 Flax?
 2 A. Yeah. I would say that name rings a
 3 bell, but I can't think of just --
 4 Q. Was it Mr. Flax who called you or spoke
 5 with you about making this Declaration?
 6 A. I don't know. I can't remember all the
 7 different people.
 8 Q. Did you meet with somebody in person
 9 about making this Declaration?
 10 A. Yeah, a couple of times I have.
 11 Q. Did they come to your house?
 12 A. No. I met him down at the restaurant,
 13 I think. I met him down at Gary's Harvest. It's a
 14 little local restaurant about a mile from my house.
 15 Q. And what did you talk about with this
 16 person?
 17 A. Just the materials we used.
 18 Q. Was the meeting at the restaurant --
 19 was that the only meeting you had before signing this
 20 Declaration?
 21 A. No. I think we had -- it seems as
 22 though there was one back several years ago, and that
 23 was in Boston, I think.

Page 25

1 Q. And I'm just concerned with the last
 2 few months. This was signed in January, 2007, so
 3 anywhere around that time period. Could you, please,
 4 look at paragraph 8 of this? Could you look at
 5 paragraph number 8 of this Declaration?
 6 A. (Witness reading document). Mm-hmm.
 7 Q. Have you had a chance to read it?
 8 A. Yeah, I have.
 9 Q. Were there any drums of pyranol stored
 10 anywhere at Fletcher's when you stopped working for
 11 him?
 12 A. Was there any what?
 13 Q. Were there any drums of pyranol stored
 14 on the property of Mr. Fletcher at the time that you
 15 stopped working for him?
 16 A. Yeah.
 17 Q. After you stopped working for Mr.
 18 Fletcher's, did you ever drive past his business?
 19 A. Yeah.
 20 Q. Did you notice whether there were drums
 21 still stored on his property?
 22 A. I think they were over on Cottage
 23 Street then, but other than that, I didn't pay too

7 (Pages 22 to 25)

FPWIT009745

Page 26

1 much attention to it.
 2 Q. Do you remember about how many drums
 3 were on the property when you stopped working for Mr.
 4 Fletcher?
 5 MR. COWAN: I'm going to object to
 6 "drums." Drums of anything?
 7 MS. ROWLEY: Yes, drums of anything.
 8 THE WITNESS: I don't have the foggiest
 9 idea. A lot of them, I know that.
 10 CONTINUING EXAMINATION BY MS. ROWLEY:
 11 Q. Okay. You couldn't estimate?
 12 A. A couple of thousand, anyways, if not
 13 more.
 14 Q. Were any of those drums drums of
 15 pyranol?
 16 A. Pardon?
 17 Q. Did any of those drums contain pyranol?
 18 A. Yeah.
 19 Q. How many?
 20 A. More than half.
 21 Q. Do you remember where on Mr. Fletcher's
 22 property those drums were?
 23 A. Yeah, pretty much so.

Page 27

1 Q. Where were they?
 2 A. The last of it was over on Cottage
 3 Street.
 4 Q. Were there any on Mill Street?
 5 A. Mill Street, Cottage Street. They come
 6 right together there.
 7 Q. Oh, okay. That's the same location?
 8 A. Yeah.
 9 Q. Were there any on Elm Street?
 10 A. There was for a while, but I don't know
 11 when they took them out of there completely.
 12 Q. Okay. Did you notice whether the
 13 amount of drums on either Mill Street or Elm Street
 14 increased after you stopped working for Mr. Fletcher?
 15 A. I don't know. I didn't pay that much
 16 attention to it.
 17 MS. ROWLEY: Could we just take a short
 18 break for a moment?
 19 (Recess taken from 10:11 to 10:12 a.m.)
 20 CONTINUING EXAMINATION BY MS. ROWLEY:
 21 Q. Mr. Whitney, I asked you about the
 22 condition of the drums that arrived from General
 23 Electric.

Page 28

1 A. Mm-hmm.
 2 Q. And you had mentioned that some might
 3 be leaking.
 4 A. Yeah. Sometimes, yeah.
 5 Q. Do you know why they were leaking?
 6 A. Gaskets would be gone. Gaskets were
 7 either missing or leaking.
 8 Q. Were the drums ever leaking because
 9 they were rusty?
 10 A. No.
 11 Q. How often would a gasket be leaking?
 12 A. Oh, you might get one or two a load, or
 13 sometimes you might have the whole load leaking, you
 14 know, but other times they'd come in and they'd be
 15 perfect, there'd be nothing wrong with them. It just
 16 depended.
 17 Q. And were they ever leaking because a
 18 bung was loose or missing?
 19 A. Occasionally, yeah.
 20 Q. And would that also vary, depending on
 21 the load?
 22 A. Yeah, pretty much so.
 23 Q. Did you ever get a load where, you

Page 29

1 know, the bungs were loose or missing on a lot of the
 2 drums?
 3 A. Pardon?
 4 Q. Did you ever get a load of pyranol from
 5 GE where the bungs were loose on many of the drums?
 6 A. It wouldn't be all of them. Once in a
 7 while you would get one or two that would be, or even
 8 three that would either be loose or dripping, you
 9 know, and then we'd do what we could to fix them.
 10 Q. Were you able to fix the bungs or loose
 11 gaskets all the time?
 12 A. Yeah. If we didn't, then we dumped it
 13 in the tank and blended it, you know.
 14 MS. ROWLEY: Okay. I think that's all
 15 I have.
 16 EXAMINATION
 17 BY MR. COWAN:
 18 Q. Good morning, Mr. Whitney.
 19 A. Good morning.
 20 Q. We met earlier. Again, my name is Mo
 21 Cowan, and I represent the General Electric Company.
 22 A. Yes.
 23 Q. I have a few questions to ask you today

8 (Pages 26 to 29)

FPWIT009746

Page 30

1 following up on Ms. Rowley's questions. I'll offer
2 you the same instructions she did. Should I ask a
3 question that you don't understand or you can't hear
4 me, please just let me know, and I will do my best to
5 either repeat it or rephrase it in a manner that
6 makes sense to you.

7 A. All right.

8 Q. Just a couple of preliminary questions.
9 How did you arrive at today's proceedings?

10 A. He brought me up (indicating).

11 Q. And by "he," you're pointing to Mr.
12 Israel behind me?

13 A. Right.

14 Q. And did you happen to have a
15 conversation on the way here?

16 A. Pardon?

17 Q. Did you happen to chat on the way here
18 in the car?

19 A. Oh, yeah.

20 Q. Small talk?

21 A. Yeah.

22 Q. Did you talk about today's proceedings
23 at all?

Page 31

1 A. No, not really. No.

2 Q. Okay. Did you discuss your deposition
3 or the testimony you expected to give today?

4 A. No.

5 Q. Did you discuss this case at all? And
6 by "this case," I mean the United States versus
7 General Electric.

8 A. No.

9 Q. And did you discuss your employment at
10 Fletcher's Paint Works or Milford Paint Works?

11 A. I think we mentioned it, but I don't
12 think there was any -- you know, just mentioned it,
13 that's about it.

14 Q. Just mentioned that you worked there?

15 A. Yes.

16 Q. In response to a question Ms. Rowley
17 asked you earlier in the deposition, you said that
18 you unloaded materials from the trucks brought to
19 Fletcher's?

20 A. Yup.

21 Q. And what were in those drums? Excuse
22 me, strike that. And what was on the trucks, or how
23 did the material arrive at Fletcher's?

Page 32

1 A. You mean, are you talking about the
2 pyranol?

3 Q. Yes.

4 A. Okay. They would bring it in with
5 their truck, to begin with. At first, it was a small
6 truck, and then they went and graduated to a larger
7 truck, and then they started having someone else come
8 in with tractor-trailers with loads of it.

9 Q. And you said "their trucks." Whose
10 truck are referring to, Fletcher's?

11 A. Yeah.

12 Q. And what do you understand is pyranol?
13 Strike that. You earlier said the chlorinated
14 biphenyls are the same as pyranol; is that your
15 understanding?

16 A. That's what I understood, yeah.

17 Q. And you mentioned that this material
18 came from General Electric, correct?

19 A. Yeah, some of it.

20 Q. Did some come from other places?

21 A. Yeah. I'm trying to think of the name
22 of the place now.

23 Q. Does the name Sprague Electric ring a

Page 33

1 bell?

2 A. Yeah, that's where they come from.

3 Q. Do you recall a company by the name of
4 Aerovox?

5 A. No.

6 Q. That's A-e-r-o-v-o-x, I believe, if my
7 spelling's still up to par.

8 A. No, I don't recall that.

9 Q. Okay. And did you unload material that
10 was shipped to Fletcher's from Sprague Electric?

11 A. Yeah.

12 Q. And how was that material shipped from
13 Sprague Electric?

14 A. I believe they went down with our
15 truck, well, with the company truck, and got it, but
16 I can't remember for sure.

17 Q. Was this material also in barrels?

18 A. Yeah.

19 Q. And what was inside the barrels, if you
20 know?

21 A. Chlorinated biphenyl.

22 Q. The same sort of material from General
23 Electric?

Page 34

1 A. Yeah.

2 Q. And where was this material from
3 Sprague Electric stored at Fletcher's?

4 A. Usually, everything was marked with a
5 number on the barrel, and we'd store it with the
6 stuff from GE.

7 Q. It was all stored together?

8 A. Yeah. Maybe one row might be Sprague
9 Electric, and maybe the next row, you know.

10 Q. And you worked at Fletcher's for about
11 six or seven years, correct?

12 A. Yeah, for about seven years.

13 Q. In your duties and responsibilities at
14 Fletcher's, did you have much daily interaction with
15 Mr. Fletcher, the owner of the company?

16 A. Yeah. I talked to him a lot, yeah.

17 Q. And when you talked with him, did he
18 discuss with you his business plans or his business
19 strategies?

20 A. No, not really.

21 Q. So, when you were first asked to unload
22 the chlorinated biphenyls, had you had a conversation
23 with Mr. Fletcher about what he intended to do with

Page 35

1 that material?

2 A. No.

3 Q. At any point, did you come to
4 understand how the material was going to be used by
5 Mr. Fletcher?

6 A. No. To begin with, he never said
7 anything about what he was going to do. I knew he
8 was going to try to sell it, but to who or what for,
9 I don't know.

10 Q. Did you ever learn whether he sold it,
11 and, if so, to whom?

12 A. Yeah. I know he sold some to Webtex.

13 Q. Webtex?

14 A. Yeah.

15 Q. And who was Webtex, if you recall?

16 A. It was a company that used to make roof
17 coatings.

18 Q. And did you have an understanding of
19 how Webtex was going to use the material purchased
20 from Fletcher, the chlorinated biphenyls?

21 A. Yeah. I guess they were going to make
22 a -- some of it they made glues out of.

23 Q. They used it in their products?

Page 36

1 A. Yeah, they used it in their products.

2 Q. What kind of products were made at
3 Fletcher's Paint Works? I realize that may be
4 something of an obvious question.

5 A. They made traffic paint, roof coatings,
6 house paint, interior paint, varnishes, shellacs.

7 Q. Do you know if any of the material Mr.
8 Fletcher purchased from General Electric or Sprague
9 Electric was ever used in any of the products that
10 Mr. Fletcher himself made or his company made?

11 A. Yeah.

12 Q. And what products were those?

13 A. I think it was a roof coating.

14 Q. Roof coating. Let's talk about the
15 drums that you recall unloading from Sprague
16 Electric. Do you recall the condition of those
17 drums?

18 A. Yeah, they were pretty decent.

19 Q. And when you say "decent," what do you
20 mean?

21 A. Well, they weren't leaking any more
22 than any of the others were, the same.

23 Q. Well, how often were the Sprague

Page 37

1 Electric drums leaking, that you recall?

2 A. Well, you might get one or two out of a
3 load, or maybe three, but, never -- to begin with, we
4 didn't get as much from Sprague Electric as we did
5 from GE.

6 Q. But when they came to Fletcher's, they
7 were all stored together?

8 A. Basically, yeah.

9 Q. Did you ever travel to any General
10 Electric facility to collect the pyranol?

11 A. Did I?

12 Q. Did you?

13 A. No. No, I never did.

14 Q. So, you never saw the drums as they
15 were stored or maintained at GE before they were
16 transported to Fletcher's?

17 A. No.

18 Q. Is that correct?

19 A. That's right.

20 Q. So, what is your recollection of the
21 condition of General Electric's drums when they
22 arrived at Fletcher's?

23 A. Most of them were in pretty good shape.

10 (Pages 34 to 37)

FPWIT009748

Page 38

1 You'd have a few leakers almost -- you're bound to
 2 get a leaker in a load, you know what I mean?
 3 Gaskets are loose or something like that.
 4 Q. Do you know whether those gaskets were
 5 loosened or became loose en route to Fletcher's or
 6 before they left General Electric?
 7 A. No, I don't. I would assume that if
 8 Wally had seen the leak, he probably would have
 9 tightened the bung up or whatever, you know, to stop
 10 the leak, but as a general rule they weren't too bad.
 11 Q. And by "Wally," you mean who, sir?
 12 A. Pardon?
 13 Q. You referred to a "Wally." Who was
 14 "Wally"?
 15 A. Wally Hooper.
 16 Q. Was that a co-worker at Fletcher's?
 17 A. He was a truck driver and paint.
 18 Q. I'm sorry. And paint?
 19 A. He made paint, too, for him.
 20 Q. Did Mr. Hooper drive the trucks to
 21 General Electric --
 22 A. Yeah.
 23 Q. -- to transport the material?

Page 39

1 A. Yeah.
 2 Q. And did I understand your testimony
 3 just a few seconds ago, you have an understanding
 4 that had Mr. Hooper seen loose -- or something wrong
 5 with the drums he would have dealt with it before it
 6 left General Electric?
 7 A. Oh, yeah, because if he'd seen
 8 something coming on the truck that was leaking, he's
 9 supposed to have them set aside or repair it, if he
 10 could. The heat and the cold has a lot to do with
 11 whether or not a drum leaks.
 12 Q. The heat and the cold?
 13 A. Right. When it's cold it contracts,
 14 and when the sun shines down on it, it will expand.
 15 Q. Would you have any reason to know
 16 whether any leak that you may have observed resulted
 17 from environmental or weather conditions or from some
 18 other cause?
 19 A. Well, some of it, I suppose, probably
 20 half was the environment and the other half was
 21 because they were just leakers and had to be fixed,
 22 you know.
 23 Q. And you base that separation, the half

Page 40

1 and half, you base that on what, your personal
 2 observation?
 3 A. Yeah.
 4 Q. But you observed these drums once they
 5 were at Fletcher's; is that correct?
 6 A. Yeah.
 7 Q. I'm going to ask you to look at Exhibit
 8 1, which is the only exhibit we have thus far, is
 9 your Declaration, Mr. Whitney. Now, again, this is
 10 your signature on page 2; is that correct?
 11 A. Yeah.
 12 Q. And you read this before you signed it?
 13 A. Mm-hmm.
 14 Q. And you signed it, believing that all
 15 of the statements therein were true?
 16 A. Yes.
 17 Q. Paragraph 6 of the Declaration states
 18 that you had no recollection that the drums picked up
 19 from General Electric were in poor condition. Is
 20 that true?
 21 A. Yeah. As a general rule, they were
 22 pretty decent.
 23 Q. Paragraph 8 of the Declaration reads,

Page 41

1 "There were not any chlorinated biphenyls at
 2 Fletcher's Milford Paint Works, including those
 3 picked up at GE, that Fletcher's Milford Paint Works
 4 couldn't either sell to Webtex or use." Is that
 5 true, Mr. Whitney?
 6 A. Yeah. I would think so, yeah. That's
 7 what we were told.
 8 Q. So, you have an understanding that
 9 whatever General Electric or whatever Fletcher
 10 purchased from General Electric, Fletcher either used
 11 it or sold it to someone else for someone else's use?
 12 A. Yes.
 13 Q. In response to some questions from Ms.
 14 Rowley, you talked about blending --
 15 A. Yeah.
 16 Q. -- of some of the material.
 17 A. Right.
 18 Q. Do you recall when the blending
 19 process, as you recall it, began to occur at
 20 Fletcher's? Do you remember the time period?
 21 A. No, not really. I would think probably
 22 six months to a year after we first started getting
 23 it.

11 (Pages 38 to 41)

FPWIT009749

Page 42

1 Q. Was it your testimony earlier that the
2 blending of the material began to happen because it
3 was a request of the customer?

4 A. That, and it had to be checked out as
5 far as the specific gravity, too.

6 Q. Specific gravity?

7 A. Yeah.

8 Q. And the process, the blending was
9 designed to --

10 A. Right, to make it more even for them --
11 easier for them to use.

12 Q. And that made it more marketable --

13 A. Right.

14 Q. -- for sale to Webtex and others?

15 A. Right.

16 MS. ROWLEY: Object to the form of that
17 question.

18 CONTINUING EXAMINATION BY MR. COWAN

19 Q. Do you know why the material was
20 blended, to make it heavier or to address the
21 viscosity? What was the purpose of that?

22 A. Well, it was easier for them to use.

23 Q. And by "them," you mean who?

Page 44

1 recall when Mr. Fletcher or Fletcher's Paint Works
2 first began to purchase pyranol from General
3 Electric?

4 A. I don't know. I think I had worked
5 there for more than a year, but I couldn't say exact
6 dates. I can't remember things like that.

7 Q. It was a long time ago.

8 A. Yeah, when all my kids were little.

9 Q. They're not so much anymore, I imagine.

10 A. The youngest one's 48.

11 Q. In response to a question Ms. Rowley
12 asked earlier in her questioning, you indicated that
13 there were approximately 2,000 drums left at the
14 Fletcher's Paint Work site after you left.

15 A. Yeah. That was everything, though.

16 Q. That was everything?

17 A. Yeah.

18 Q. Meaning what, when you say
19 "everything"?

20 A. Well, the resins for paints. There was
21 all kinds of resins and kettled oils and then they
22 had tanks for -- there were two tanks inside the shop
23 that they used to store traffic resin in there.

Page 43

1 A. Webtex.

2 Q. And do you know if they could use it
3 without that blending process?

4 A. Yeah, but it's like the weight per
5 gallon is what -- they wanted it all the same. They
6 didn't want, say, 12 pounds per gallon in this barrel
7 and then dump another barrel in that's only 10
8 pounds. So, we suggested blending it, and they said
9 "Try it and see what happens." So, we tried it and
10 it came out real good.

11 Q. So, they had been purchasing it prior
12 to the blending process, and then, through
13 discussions with Mr. Fletcher or his employees and
14 Webtex, a decision was made to blend it?

15 A. Right.

16 Q. To make it consistent for Webtex's --

17 A. Yeah.

18 Q. -- business?

19 A. Yeah.

20 Q. But Webtex had been buying it
21 beforehand; is that correct?

22 A. Yes.

23 Q. Mr. Whitney, do you know or do you

Page 45

1 Q. So, these 2,000 barrels contained a
2 variety or any number of materials?

3 A. Mm-hmm.

4 Q. And do you recall when was the last
5 time you saw these approximately 2,000 barrels?

6 A. It was after I got through.

7 Q. How soon after you got through or
8 completed your employment with Fletcher's?

9 A. Within weeks.

10 Q. Within weeks?

11 A. Yeah.

12 Q. And you said that some of the barrels
13 contained resins and other materials used in
14 Fletcher's's manufacturing process.

15 A. Right.

16 Q. And do you know if some of the barrels
17 contained pyranol or chlorinated biphenyls?

18 A. Yeah.

19 Q. And how do you know that, sir?

20 A. How do I know that?

21 Q. Yes.

22 A. Because I know pyranol when I see it.

23 Q. I'm sure you do, but this material was

12 (Pages 42 to 45)

FPWIT009750

Page 46

1 drummed up, is that correct, meaning it was in drums?
 2 A. Yeah. Well, they continued on the
 3 piles that we had started, because we started putting
 4 them over on Cottage Street.
 5 Q. You said "they" continued?
 6 A. Yeah. After I got through, somebody
 7 had to do it.
 8 Q. Meaning, someone who was working for
 9 Fletcher's?
 10 A. Yeah.
 11 Q. You weren't working there at the time?
 12 A. No.
 13 Q. So, am I correct that your estimate of
 14 how many barrels of chlorinated biphenyls were in
 15 that 2,000 is based on the fact that you saw drums
 16 being stored in a particular area?
 17 A. Yeah, when I was there, a lot of it,
 18 because they used to bring them in on
 19 tractor-trailers. Sometimes they would be too high
 20 on the trailer, and you'd have to take them off with
 21 a forklift.
 22 Q. But is it fair to say that you don't
 23 know whether, after the time you left the company,

Page 47

1 whether more barrels of chlorinated biphenyls from
 2 General Electric, Sprague Electric or anyone else
 3 were being received at Fletcher's and stored at
 4 Fletcher's? Do you know that?
 5 A. Yeah.
 6 Q. I'm talking about the time after you
 7 left.
 8 A. Oh, at least within a few weeks it was
 9 still coming in. Of course, I went to work for
 10 another company.
 11 Q. How many barrels do you recall or do
 12 you know, actually do you know contained chlorinated
 13 biphenyls among those barrels you saw after the time
 14 you left?
 15 A. I would say about half of them were,
 16 because there was still a lot of barrels of paint and
 17 resin for making paint, kettled oils, boiled linseed
 18 oil, all that sort of stuff there.
 19 Q. Could there have been as few as 200
 20 barrels that contained chlorinated biphenyls?
 21 A. I think there was more than that.
 22 Q. Could there have been 500?
 23 A. Well, I can't remember now how many was

Page 48

1 on the load on the truck.
 2 Q. So, the 1,000 barrels is just your best
 3 guess?
 4 A. I would think, between the two places,
 5 I would think there was close to 2,000.
 6 Q. Closer to 1,000?
 7 A. Close to 2,000, yeah.
 8 Q. Barrels total?
 9 A. Yeah.
 10 Q. Full of various things?
 11 A. Yeah.
 12 Q. But you're not sure among those 2,000
 13 how many actually contained chlorinated biphenyls or
 14 pyranol?
 15 A. Well, no, not exactly.
 16 Q. We talked about Webtex a little bit,
 17 and Webtex purchased pyranol and chlorinated
 18 biphenyls from Mr. Fletcher, correct?
 19 A. Mm-hmm.
 20 Q. Do you know of any other companies who
 21 purchased that material from Mr. Fletcher?
 22 A. No.
 23 Q. Did you ever talk to anyone at Webtex

Page 49

1 about how they were using the pyranol they were
 2 purchasing from Fletcher's?
 3 A. The only time anyone said anything to
 4 me about the pyranol was when they were having black
 5 specks, and, so, we figured if we filtered it that
 6 would get rid of the black specks, and we did. So,
 7 we filtered it and blended it all in one operation.
 8 Q. And that was at the request of Webtex?
 9 A. Yeah.
 10 Q. Did you ever talk to anyone at General
 11 Electric about the pyranol?
 12 A. Pardon?
 13 Q. I'm sorry. Did you ever talk to anyone
 14 at General Electric about the pyranol?
 15 A. No.
 16 Q. Just a couple of more questions, Mr.
 17 Whitney. I believe you may have testified that you
 18 have an understanding -- well, strike that. Do you
 19 know whether or not after the time you left
 20 Fletcher's whether Fletcher's Milford Paint Works
 21 continued to receive chlorinated biphenyls from
 22 anyone or from any company?
 23 A. I don't know how much they -- I would

Page 50

1 assume some, because the pile got larger.

2 Q. And your assumption is based on the
3 fact, simply, that you saw the pile where you used to
4 store or in your responsibilities you stored pyranol
5 at Fletcher's continue to grow?

6 A. Right.

7 Q. So, you're assuming any other barrels
8 in that area contained pyranol; is that fair to say?

9 A. Yeah.

10 Q. We talked about the blending. Do you
11 know whether Fletcher's's Milford Paint Works used
12 the pyranol received from General Electric or anyone
13 else in the form in which it was received, that is to
14 say, without blending in its materials?

15 A. To begin with they did.

16 Q. Okay.

17 A. But then they found out it had the
18 specks in it, they wanted to get rid of it, the
19 specks.

20 Q. But before that time they had been
21 using it as is?

22 A. Yeah.

23 Q. Did you ever discuss the blending

Page 51

1 process you've described today with anyone at General
2 Electric?

3 A. I didn't. I don't know whether anyone
4 else did.

5 Q. You have no reason to believe that
6 anyone else did; is that fair to say?

7 A. No, I have no reason to believe that
8 they didn't or did.

9 Q. You just don't know?

10 A. Right.

11 Q. Okay. I think I'm done for now until
12 Ms. Rowley starts asking more questions.

13 MS. FISKE: We'll take a few minutes,
14 please.

15 (Recess taken from 11:00 to 11:10 a.m.)

16 EXAMINATION

17 BY MS. ROWLEY:

18 Q. I have a few follow-up questions after
19 Mr. Cowan asked you his questions. You talked about
20 the fact that you were blending and filtering the
21 pyranol because Webtex requested it. Do you know
22 whether Webtex would have purchased the pyranol if
23 you didn't blend it?

Page 52

1 A. Probably not.

2 Q. And what about if you didn't filter it
3 to get rid of the black specks?

4 A. If we hadn't taken the black specks out
5 of it, they couldn't use it, because it leaves little
6 specks in whatever they were making with it.

7 Q. Were you or Clyde Bishop or anyone else
8 at Fletcher's testing the drums that came in for the
9 specific gravity of the pyranol before Webtex made
10 that request?

11 A. Did we do what?

12 Q. I'll start over. You had testified
13 earlier that you started blending the pyranol --

14 A. Yeah.

15 Q. -- about a year or so after you started
16 working there.

17 A. Yeah.

18 Q. In that year before you started
19 blending the pyranol, were you testing drums for
20 specific gravity?

21 A. Yeah. Well, Clyde Bishop was then.

22 Q. Okay. Why was Mr. Bishop testing for
23 specific gravity, if there wasn't any need to blend

Page 53

1 it?

2 A. Well, they were checking also to see
3 how much was in the drums. Sometimes they would fill
4 a drum right to the very top, and you can get 58, 59
5 gallons in a 55-gallon drum, because you have to --
6 you should leave a little dead air space.

7 Q. And other times, then, were drums not
8 full?

9 A. Other times the drums wouldn't be full,
10 and if they were over full, we'd take some out and
11 put it into a different drum.

12 Q. Why did you test for the specific
13 gravity, though?

14 A. Because we were asked to. Because my
15 boss told me to.

16 Q. Okay. But you could have just seen,
17 you know, whether a drum was full or over full or not
18 full just by opening it up and looking into it?

19 A. Right. They wanted specific gravities
20 in them.

21 Q. And this was even before you were
22 blending the material your boss was interested in the
23 specific gravity?

Page 54

1 A. Yeah, yeah, they wanted it, because it
2 helped them to make their product, made it easier for
3 them.

4 Q. For who? Who do you mean by "them"?

5 A. Webtex.

6 Q. So, Webtex was interested in knowing
7 what the specific gravity was --

8 A. Yeah.

9 Q. -- when they purchased it?

10 A. It was easier for them if we blended it
11 for them.

12 Q. Okay. But even before you started
13 blending it, they wanted to know what the specific
14 gravity was?

15 A. Right.

16 Q. I understand. Could I ask you to look,
17 again, at the Declaration, Exhibit 1?

18 A. Okay.

19 Q. And look specifically at paragraph 9,
20 which says, "Either Clyde Bishop, Earl Wesson or I
21 tested the specific gravity of the contents of every
22 drum of chlorinated biphenyls at Fletcher Milford
23 Paint Works..." It also says that "... the quality

Page 55

1 of the chlorinated biphenyls picked up at GE was
2 generally the same and did not get worse throughout
3 my time at Fletcher's Milford Paint Works."

4 A. Mm-hmm.

5 Q. If Webtex was buying the pyranol as is
6 before you started the blending and filtering and
7 then later they wouldn't take it unless you had
8 blended or filtered it --

9 A. Right.

10 Q. -- did the quality somehow get worse?

11 MR. COWAN: Objection.

12 THE WITNESS: Well, one of the things
13 in manufacturing, if you can supply your customer
14 with a product that is the same in each and every
15 drum, okay, it saves them a lot of work and a lot of
16 time, and time is money in manufacturing. So, we
17 decided to blend it all together and have it all one
18 viscosity.

19 CONTINUING EXAMINATION BY MS. ROWLEY:

20 Q. When did Webtex start complaining about
21 the black specks?

22 MR. COWAN: Objection. I'm not sure
23 there's any foundation of a complaint.

Page 56

1 THE WITNESS: I can't remember now
2 exactly when they did, but they had taken two or
3 three loads, I think, and then they decided they had
4 the black specks in it and they wanted to get rid of
5 them, so we did.

6 CONTINUING EXAMINATION BY MS. ROWLEY:

7 Q. I'd like to look at paragraph 6 of your
8 Declaration, which says, "I have no recollection that
9 the drums picked up from GE were in poor condition."
10 I think Mr. Cowan also asked you about this
11 paragraph. Now, you stated that this is true, in
12 general, correct?

13 A. Mm-hmm.

14 Q. But earlier you also talked about the
15 fact that some of drums that were arriving from GE at
16 Fletcher's were leaking.

17 A. Yeah. Well, what happens is it may not
18 be leaking at all in New York, okay, and it's 30
19 degrees, and you come back down to Milford and it
20 might be 60 degrees, and the expansion of the product
21 would force it out through the gaskets.

22 Q. And sometimes there were missing
23 gaskets?

Page 57

1 A. Pardon?

2 Q. And sometimes there would be missing
3 gaskets, correct?

4 MR. COWAN: Objection.

5 THE WITNESS: Right.

6 CONTINUING EXAMINATION BY MS. ROWLEY:

7 Q. And, in addition, you also testified
8 that once in a while there was a drum that was in
9 poor condition and you had to --

10 A. Yeah.

11 Q. -- pour the contents into a new drum.

12 A. Right.

13 Q. So, this paragraph 6, would it be fair
14 to say that you meant in general?

15 A. Right.

16 Q. Okay. I'd like to look, again, at
17 paragraph 8. You've stated that either Mr. Fletcher
18 could use the chlorinated biphenyls or they were sold
19 to Webtex; however, you've also said that when you
20 stopped working at Mr. Fletcher's, there were about
21 2,000 drums left on the property and about maybe half
22 of those contained pyranol; is that right?

23 A. Mmm-hmm.

Page 58

1 Q. So, when you left Fletcher's, when you
2 stopped working for Mr. Fletcher, there were a good
3 number of drums of pyranol that had not been used?

4 A. Oh, yeah.

5 Q. Okay. And you also talked about how
6 you noticed that this pile of drums was still there
7 several weeks after you stopped working for Mr.
8 Fletcher; in fact, that maybe the pile of drums was
9 increasing?

10 A. Yeah. I think they increased quite a
11 bit, yeah.

12 Q. Quite a bit? Can you estimate?

13 A. No. It's pretty hard to -- that piece
14 of land there is probably a couple of hundred feet
15 long and, oh, probably 30 or 40 feet wide. So, you
16 know, it's pretty hard to -- I don't know whether
17 they had them -- you know, you'd stack them up, go
18 three high or four high or five high, or maybe the
19 back side down to almost nothing there, you know.
20 It's hard to say.

21 Q. There was a substantial-enough increase
22 that you noticed it just while you were driving by,
23 correct?

Page 60

1 25 drums in a row. If you had 25 drums of something
2 else, then you'd put that in a different row, but you
3 never mixed them together.

4 Q. Okay.

5 A. Otherwise, how would you know what you
6 had?

7 Q. Makes sense. You said that you last
8 saw the piles of drums several weeks after you
9 stopped working for Mr. Fletcher's. In the weeks and
10 months and years after you stopped working for Mr.
11 Fletcher's, did you ever have occasion to drive by
12 the Cottage Street or Mill Street property?

13 A. Oh, yeah.

14 Q. Did you notice whether the drums were
15 still there?

16 A. No, I don't believe they were.

17 Q. Is it safe to say that several weeks
18 after you stopped working for him they were there?

19 A. Yeah.

20 Q. What about months?

21 A. No, it was longer than that before they
22 left. I remember going over and seeing Johnny. John
23 Racicot and I are pretty good friends, and I can't

Page 59

1 MR. COWAN: Objection.

2 THE REPORTER: Was that a yes?

3 THE WITNESS: No.

4 CONTINUING EXAMINATION BY MS. ROWLEY:

5 Q. Do you want me to repeat the question?
6 You did notice an increase in the number of barrels
7 or drums?

8 A. On the land, right.

9 Q. On the land, okay. Now, Mr. Cowan had
10 asked you about whether you knew for sure that the
11 contents of those drums that were stored at
12 Fletcher's was pyranol. I just want to ask you, was
13 it the practice at Fletcher's to stack drums
14 containing different contents in the same pile? For
15 instance, did you store all the drums of pyranol
16 together?

17 MR. COWAN: You mean, while he was at
18 Fletcher's?

19 CONTINUING EXAMINATION BY MS. ROWLEY:

20 Q. While you were at Fletcher's.

21 A. We used to put one thing in each pile.
22 If we had, let's say, linseed oil or kettled linseed
23 oil, if you had 25 drums of that, you would put the

Page 61

1 really remember how long it was before the pile went
2 down.

3 CONTINUING EXAMINATION BY MS. ROWLEY:

4 Q. Did Mr. Racicot live near the Cottage
5 or Mill Street property?

6 A. Pardon?

7 Q. Did Mr. Racicot live near the Mill
8 Street property that was owned by Fletcher's?

9 A. Yeah, about twice the length of this
10 room away from it, his wife and kids.

11 MS. ROWLEY: For the record, this room
12 is 10 by --

13 MR. ISRAEL: About 20 feet.

14 MS. ROWLEY: -- about 20 feet.

15 THE WITNESS: The width of the road,
16 34, 35 feet. It's two rods wide.

17 MR. COWAN: I'll take your word for it.

18 CONTINUING EXAMINATION BY MS. ROWLEY:

19 Q. When drums were stored at Mr.
20 Fletcher's, they were stored sometimes on their side;
21 is that correct?

22 A. They decided to do that when they put
23 them over to the Cottage Street, yeah, but over the

Page 62

1 other place, when I was stacking them, they were
2 stored on end.

3 Q. Now, in either position, whether they
4 were stored standing up or stored on their side,
5 would the weather conditions, you know, increases in
6 temperature or decreases, cause the drums to leak?

7 A. Well, I didn't like the idea of laying
8 them on their side, because you had to insert the
9 barrels so they can't roll, you know, and, God,
10 there's little kids living in that neighborhood, you
11 know, and I was scared to death one of them's going
12 to get hurt, because they love to play on stuff like
13 that, you know.

14 Q. So, you noticed there were children
15 playing among these drums?

16 A. Well, around there, yeah. In the
17 neighborhood, let's put it that way.

18 Q. Okay. Did they play on Mr. Fletcher's
19 property?

20 A. I don't know whether they did or not,
21 but there's always that chance, you know?

22 Q. The weather conditions; did they cause
23 the drums to leak while they were being stored?

Page 63

1 A. Sometimes, yeah.

2 Q. Were you able to fix the leaks on the
3 drums while they were --

4 A. Most of them, yes.

5 Q. And some of them you were not?

6 A. I don't know. I haven't been there in
7 all that time.

8 Q. While you were working there.

9 A. Well, while I was working there I tried
10 to keep them tight all the time, but one of the
11 things we used to do was go around and check the
12 barrels because some of the resins and that are quite
13 expensive, you know.

14 MS. ROWLEY: That's all I have.

15 EXAMINATION

16 BY MR. COWAN:

17 Q. Mr. Whitney, I have just a couple of
18 more. I'm going to try to sit here and, hopefully,
19 you can hear me and the stenographer will be able to
20 hear us both.

21 Again, looking at Exhibit 1, which is
22 your Declaration, paragraph 8, which now we've read a
23 couple of times, but it discusses where you said

Page 64

1 that, "There were not any chlorinated biphenyls at
2 Fletcher's Milford Paint Works, including those
3 picked up at GE, that Fletcher's Milford Paint Works
4 couldn't either sell to Webtex or use." And, again,
5 that's true, to the best of your knowledge; is that
6 correct, sir?

7 A. I couldn't hear you.

8 Q. I'm sorry. Is that a true statement,
9 paragraph 8?

10 A. Yeah, yeah, I think so.

11 Q. So, was it your understanding that the
12 drums containing pyranol, or that you understand
13 contained pyranol, after you left, that you've
14 testified today, do you have an understanding that
15 they were also sold to Webtex or used?

16 A. I don't know if they were or not.

17 Q. Do you have any reason to believe they
18 were not sold to Webtex or used by Fletcher's?

19 A. No, I don't. Personally, I don't know
20 of anything firsthand on that. I've heard rumors.

21 Q. When you left Fletcher's, do you know
22 who took over your job responsibility, that is to
23 say, who was responsible for unloading materials off

Page 65

1 of trucks? Do you know?

2 A. No, I don't know.

3 Q. Do you know who had the responsibility
4 for stacking or storing drums that may have come in
5 after the time that you left the company?

6 A. No. I don't know who was responsible
7 for all that.

8 Q. So, you wouldn't know one way or the
9 other whether or not they followed the protocol and
10 procedure you just described, which is to say --

11 A. No.

12 Q. -- only certain materials are stored in
13 certain places and never mixed up. You don't know
14 whether or not they followed that procedure?

15 A. No.

16 Q. And if they didn't follow that
17 procedure, is it fair to say that it's possible that
18 among the drums that you believe may have contained
19 pyranol after you left there could have been drums
20 containing other material?

21 A. Yeah. Possibly could have been
22 solvents that they used to rinse down the machines
23 with, and that sometimes would make them -- the

Page 66

1 viscosity would go down on them.

2 Q. We've talked a lot today about barrels
3 containing chlorinated biphenyls or pyranol, right?

4 A. Yes.

5 Q. When you've been referring to that, Mr.
6 Whitney -- I apologize for this unartful question --
7 but have you been referring to just material received
8 from General Electric or material received from
9 Sprague Electric or, possibly, others?

10 A. From all of them. They were all
11 basically the same. A leak is a leak. It doesn't
12 make any difference whether it's from a red drum or a
13 brown drum or a blue drum, you know?

14 Q. And Ms. Rowley just asked you a
15 question about barrels being stored on their side or
16 barrels possibly leaking. Do you have any specific
17 recollection today whether barrels received from
18 Sprague Electric, for example, as compared to General
19 Electric, may have been leaking?

20 A. Not any worse or not any better, I
21 would think.

22 Q. And you don't have the ability to tell
23 us today, or at all, really, whether a particular

Page 68

1 and signing?

2 MS. ROWLEY: I guess, yes.

3 (Deposition of RICHARD A. WHITNEY
4 concluded at 11:30 a.m.)
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23

Page 67

1 barrel that may have been received from General
2 Electric, for example, may have leaked or spilled?

3 A. No.

4 Q. I'm sorry. You have to say that out
5 loud? What was your answer?

6 A. No. There's no way of really telling.

7 MR. COWAN: Unless Ms. Rowley asks
8 another wave of questions, I don't have any more
9 questions, Mr. Whitney.

10 MS. ROWLEY: One follow-up question.

11 EXAMINATION

12 BY MS. ROWLEY:

13 Q. While you were working at Fletcher's,
14 was it per Mr. Fletcher's's instructions that you
15 would keep -- store different materials in different
16 piles or different places?

17 A. No. No, it wasn't from his
18 instructions. It was just common-sense-type of -- I
19 mean, if you're going to be making paint, say, next
20 week, you don't bury the barrels that you're going to
21 use.

22 MS. ROWLEY: I think that's it.

23 THE REPORTER: Is the witness reading

Page 69

1 CERTIFICATE OF WITNESS

2 I, RICHARD A. WHITNEY, do hereby swear/affirm
3 that I have read the foregoing transcript of my
4 testimony, and further certify that it is a true and
5 accurate record of my testimony (with the exception
6 of the corrections listed below):

7 Page Line Correction
8
9
10
11
12
13
14
15
16
17

18 RICHARD A. WHITNEY
19 Subscribed and sworn to before me this day
20 of, 2007.
21

22 Notary Public/Justice of the Peace
23 My Commission Expires:

1 CERTIFICATE

2 I, Brenda K. Hancock a Registered

3 Professional Reporter, Certified Realtime Reporter

4 and Notary Public of the State of New Hampshire, do

5 hereby certify that the foregoing is a true and

6 accurate transcript of my stenographic notes of the

7 deposition of RICHARD A. WHITNEY who was first duly

8 sworn, taken at the place and on the date

9 hereinbefore set forth.

10 I further certify that I am neither

11 attorney nor counsel for, nor related to or employed

12 by any of the parties to the action in which this

13 deposition was taken, and further that I am not a

14 relative or employee of any attorney or counsel

15 employed in this case, nor am I financially

16 interested in this action.

17 THE FOREGOING CERTIFICATION OF THIS

18 TRANSCRIPT DOES NOT APPLY TO ANY REPRODUCTION OF THE

19 SAME BY ANY MEANS UNLESS UNDER THE DIRECT CONTROL

20 AND/OR DIRECTION OF THE CERTIFYING REPORTER.

21
22 Brenda K. Hancock, RMR, CRR

23 N.H. Certified Court Reporter

<p>A</p> <p>ability 66:22</p> <p>able 29:10 63:2,19</p> <p>accident 11:6</p> <p>accurate 69:5 70:6</p> <p>action 70:12,16</p> <p>ad 9:14</p> <p>Adams 2:4</p> <p>addition 57:7</p> <p>address 5:13 42:20</p> <p>advertised 9:7,9,11</p> <p>Aerovox 33:4</p> <p>AGENCY 2:10</p> <p>ago 13:8 23:7 24:22 39:3 44:7</p> <p>agreed 3:2,10</p> <p>air 53:6</p> <p>AMERICA 1:5</p> <p>ammonia 21:18</p> <p>amount 27:13</p> <p>amounts 16:6</p> <p>AND/OR 70:20</p> <p>answer 5:18,19 20:14,16 67:5</p> <p>anymore 44:9</p> <p>anyways 23:7 26:12</p> <p>apologize 66:6</p> <p>apparently 9:12</p> <p>APPEARANCES 2:1</p> <p>APPLY 70:18</p> <p>approximately 44:13 45:5</p> <p>April 1:18</p> <p>area 46:16 50:8</p> <p>arrive 9:16 30:9 31:23</p> <p>arrived 27:22 37:22</p> <p>arriving 56:15</p> <p>asbestos 21:20,21</p> <p>aside 39:9</p> <p>asked 27:21 31:17 34:21 44:12 51:19 53:14 56:10 59:10 66:14</p> <p>asking 51:12</p> <p>asks 67:7</p>	<p>assume 38:7 50:1</p> <p>assuming 50:7</p> <p>assumption 50:2</p> <p>attached 4:18</p> <p>attention 26:1 27:16</p> <p>attorney 1:16 5:8 70:11,14</p> <p>avoid 19:18,21</p> <p>A-e-r-o-v-o-x 33:6</p> <p>a.m 1:19 27:19 51:15 68:4</p> <p>B</p> <p>back 12:16 17:4,12 18:22 23:16 24:22 56:19 58:19</p> <p>bad 10:5,13,17,19 38:10</p> <p>Bagley 2:18</p> <p>barrel 18:7 34:5 43:6,7 67:1</p> <p>barrels 18:10 33:17 33:19 45:1,5,12 45:16 46:14 47:1 47:11,13,16,20 48:2,8 50:7 59:6 62:9 63:12 66:2 66:15,16,17 67:20</p> <p>base 39:23 40:1</p> <p>based 46:15 50:2</p> <p>basically 37:8 66:11</p> <p>batch 18:5</p> <p>began 41:19 42:2 44:2</p> <p>believe 7:11 8:6 16:12 33:6,14 49:17 51:5,7 60:16 64:17 65:18</p> <p>believing 40:14</p> <p>bell 24:3 33:1</p> <p>best 30:4 48:2 64:5</p> <p>better 66:20</p> <p>bigger 15:18</p> <p>biphenyl 33:21</p> <p>biphenyls 7:21 8:5 32:14 34:22 35:20 41:1 45:17 46:14</p>	<p>47:1,13,20 48:13 48:18 49:21 54:22 55:1 57:18 64:1 66:3</p> <p>Bishop 14:13,17 15:8 52:7,21,22 54:20</p> <p>bit 16:5 21:20 48:16 58:11,12</p> <p>black 16:11,14,19 18:6 49:4,6 52:3,4 55:21 56:4</p> <p>blend 15:6 43:14 51:23 52:23 55:17</p> <p>blended 15:14 16:23 17:2 29:13 42:20 49:7 54:10 55:8</p> <p>blending 15:23 16:8,22 17:4 41:14,18 42:2,8 43:3,8,12 50:10 50:14,23 51:20 52:13,19 53:22 54:13 55:6</p> <p>blue 66:13</p> <p>boiled 47:17</p> <p>boss 19:11 53:15,22</p> <p>Boston 2:13,16 24:23</p> <p>bought 12:15,19</p> <p>bound 38:1</p> <p>Box 2:7</p> <p>break 27:18</p> <p>Brenda 1:21 70:2 70:22</p> <p>bring 32:4 46:18</p> <p>brought 30:10 31:18</p> <p>brown 66:13</p> <p>Building 1:17</p> <p>bung 28:18 38:9</p> <p>bungs 11:9 29:1,5 29:10</p> <p>bury 67:20</p> <p>business 25:18 34:18,18 43:18</p> <p>busy 14:16</p> <p>buyer 9:1,3</p>	<p>buying 43:20 55:5</p> <p>C</p> <p>C 1:16 70:1,1</p> <p>called 23:11 24:4</p> <p>caption 3:7</p> <p>car 30:18</p> <p>case 1:6 20:6,11 31:5,6 70:15</p> <p>Catherine 2:4</p> <p>cause 39:18 62:6,22</p> <p>CCR 1:22</p> <p>Center 2:2,4,16</p> <p>certain 65:12,13</p> <p>CERTIFICATE 69:1</p> <p>CERTIFICATI... 70:17</p> <p>Certified 70:3,23</p> <p>certify 69:4 70:5,10</p> <p>CERTIFYING 70:20</p> <p>chance 22:12 25:7 62:21</p> <p>chat 30:17</p> <p>check 12:15 13:22 63:11</p> <p>checked 12:18 42:4</p> <p>checking 14:16 53:2</p> <p>chemical 9:7</p> <p>chemicals 21:11,14 21:22</p> <p>children 62:14</p> <p>chlorinated 7:21 8:5 32:13 33:21 34:22 35:20 41:1 45:17 46:14 47:1 47:12,20 48:13,17 49:21 54:22 55:1 57:18 64:1 66:3</p> <p>Civil 3:6</p> <p>Clay 7:22</p> <p>clean 10:13 17:11</p> <p>Cleveland 1:16</p> <p>close 48:5,7</p> <p>Closer 48:6</p> <p>Clyde 14:13,17 15:7 52:7,21</p>	<p>54:20</p> <p>coating 21:21 36:13 36:14</p> <p>coatings 35:17 36:5</p> <p>COHN 2:15</p> <p>cold 39:10,12,13</p> <p>collect 37:10</p> <p>come 8:10 10:10 11:8 17:10 18:21 24:11 27:5 28:14 32:7,20 33:2 35:3 56:19 65:4</p> <p>coming 39:8 47:9</p> <p>commencing 1:19</p> <p>Commission 69:23</p> <p>common-sense-ty... 67:18</p> <p>companies 48:20</p> <p>company 1:9 8:13 17:14,22 29:21 33:3,15 34:15 35:16 36:10 46:23 47:10 49:22 65:5</p> <p>compared 66:18</p> <p>competent 3:5</p> <p>complaining 55:20</p> <p>complaint 55:23</p> <p>completed 45:8</p> <p>completely 27:11</p> <p>concerned 25:1</p> <p>concerning 18:18</p> <p>concluded 68:4</p> <p>Concord 1:17</p> <p>condition 9:18 27:22 36:16 37:21 40:19 56:9 57:9</p> <p>conditions 39:17 62:5,22</p> <p>Congress 2:12</p> <p>considered 21:14</p> <p>consistent 43:16</p> <p>contacted 22:23 23:5,13</p> <p>contain 26:17</p> <p>contained 45:1,13 45:17 47:12,20 48:13 50:8 57:22 64:13 65:18</p> <p>containing 59:14</p>
---	---	--	--	---

64:12 65:20 66:3 contents 13:20 14:18,21 15:9 54:21 57:11 59:11 59:14 continue 50:5 continued 46:2,5 49:21 CONTINUING 7:2 11:1 17:20 18:3 20:20 22:11 26:10 27:20 42:18 55:19 56:6 57:6 59:4,19 61:3,18 contracts 39:13 CONTROL 70:19 conversation 30:15 34:22 copy 22:5 correct 15:1 32:18 34:11 37:18 40:5 40:10 43:21 46:1 46:13 48:18 56:12 57:3 58:23 61:21 64:6 Correction 69:7 corrections 69:6 Cottage 8:19 13:4 13:10 25:22 27:2 27:5 46:4 60:12 61:4,23 counsel 3:12 70:11 70:14 couple 23:7 24:10 26:12 30:8 49:16 58:14 63:17,23 course 47:9 court 1:1,21 3:9 5:2 5:19 70:23 Cowan 2:16 4:8,10 6:8,13,19,21,23 10:16 17:15,23 20:4,15 26:5 29:17,21 42:18 51:19 55:11,22 56:10 57:4 59:1,9 59:17 61:17 63:16 67:7 co-worker 38:16	CRR 1:21 70:22 Cuno 16:12 curious 6:10 customer 14:7,9,10 42:3 55:13 <hr/> D D 2:7 4:1 daily 34:14 date 70:8 dates 13:7 23:8 44:6 day 69:19 days 3:11 15:22 16:21 23:4 DC 2:8 dead 53:6 dealt 39:5 death 62:11 decent 36:18,19 40:22 decided 55:17 56:3 61:22 decision 43:14 Declaration 4:14 22:6,16 23:1,10 23:14 24:5,9,20 25:5 40:9,17,23 54:17 56:8 63:22 decreases 62:6 Defendant 2:15 defense 20:8 degrees 56:19,20 DEPARTMENT 2:2,5 depended 28:16 depending 28:20 deponent 3:12 deposed 5:3,15 deposition 1:13,15 3:2,10 5:17 20:5 31:2,17 68:3 70:7 70:13 depositions 3:5 describe 9:18 described 51:1 65:10 designed 42:9 difference 66:12	different 24:7 53:11 59:14 60:2 67:15,15,16 DIRECT 70:19 DIRECTION 70:20 dirty 17:11 discuss 31:2,5,9 34:18 50:23 discusses 63:23 discussions 43:13 DISTRICT 1:1,2 DIVISION 2:2,6 document 22:15 25:6 doing 14:16 15:23 dripping 29:8 drive 25:18 38:20 60:11 driver 18:21 38:17 driving 58:22 drum 7:22 10:4,6,8 10:13,17,19,23 11:3,4 14:1,17,19 14:21 15:2,7,10 17:21 39:11 53:4 53:5,11,17 54:22 55:15 57:8,11 66:12,13,13 drummed 46:1 drums 7:23 9:16,17 9:18 10:11,11 11:7,8 12:11,22 13:2,10,16,20 17:5,7,11,13 20:1 25:9,13,20 26:2,6 26:6,7,14,14,17 26:22 27:13,22 28:8 29:2,5 31:21 36:15,17 37:1,14 37:21 39:5 40:4 40:18 44:13 46:1 46:15 52:8,19 53:3,7,9 56:9,15 57:21 58:3,6,8 59:7,11,13,15,23 60:1,1,8,14 61:19 62:6,15,23 63:3 64:12 65:4,18,19	duly 5:2 70:7 dump 43:7 dumped 29:12 dumping 15:17 duties 34:13 <hr/> E E 2:13 4:1 70:1,1 Earl 19:12 54:20 earlier 20:22 29:20 31:17 32:13 42:1 44:12 52:13 56:14 easier 42:11,22 54:2,10 either 19:13 27:13 28:7 29:8 30:5 41:4,10 54:20 57:17 62:3 64:4 Electric 1:9 18:18 18:22 19:14 27:23 29:21 31:7 32:18 32:23 33:10,13,23 34:3,9 36:8,9,16 37:1,4,10 38:6,21 39:6 40:19 41:9 41:10 44:3 47:2,2 49:11,14 50:12 51:2 66:8,9,18,19 67:2 Electric's 37:21 Elm 27:9,13 else's 41:11 employed 70:11,15 employee 70:14 employees 13:19 43:13 employment 31:9 45:8 en 38:5 entitled 22:15 environment 39:20 environmental 2:2 2:6,10 39:17 Esq 2:4,8,16,18 estimate 26:11 46:13 58:12 exact 7:9 44:5 exactly 48:15 56:2 EXAMINATION	4:6 5:5 7:2 11:1 17:20 18:3 20:20 22:11 26:10 27:20 29:16 42:18 51:16 55:19 56:6 57:6 59:4,19 61:3,18 63:15 67:11 example 66:18 67:2 exception 69:5 Excuse 31:21 exhibit 4:18 22:8,9 40:7,8 54:17 63:21 EXHIBITS 4:12 expand 39:14 expansion 56:20 expected 31:3 expensive 63:13 Expires 69:23 <hr/> F F 70:1 facility 37:10 fact 46:15 50:3 51:20 56:15 58:8 fair 46:22 50:8 51:6 57:13 65:17 familiar 8:2 far 40:8 42:5 Federal 1:16 3:5 feet 58:14,15 61:13 61:14,16 FERRIS 2:15 figured 49:5 filing 3:7 fill 53:3 filter 16:13,15,18 17:1 52:2 filtered 18:6 49:5,7 55:8 filtering 16:22 17:3 18:4 21:3 51:20 55:6 filters 16:11 finally 22:3 Financial 2:16 financially 70:15 find 9:1 10:2 fine 6:17,22
---	--	---	--	--

finished 17:3 18:4
first 3:3 8:20 23:11
 23:13 32:5 34:21
 41:22 44:2 70:7
firsthand 64:20
Fiske 2:4 20:13,18
 51:13
five 58:18
fix 29:9,10 63:2
fixed 39:21
Flax 24:1,4
Fleischer 2:21
Fletcher 8:20 9:6
 25:14 26:4 27:14
 34:15,23 35:5,20
 36:8,10 41:9,10
 43:13 44:1 48:18
 48:21 54:22 57:17
 58:2,8
Fletchers 37:16
Fletcher's 7:4,15
 13:20 18:21 19:2
 19:6,14 21:12
 25:10,18 26:21
 31:10,19,23 32:10
 33:10 34:3,10,14
 36:3 37:6,22 38:5
 38:16 40:5 41:2,3
 41:20 44:1,14
 45:8 46:9 47:3,4
 49:2,20,20 50:5
 52:8 55:3 56:16
 57:20 58:1 59:12
 59:13,18,20 60:9
 60:11 61:8,20
 62:18 64:2,3,18
 64:21 67:13
Fletcher's's 45:14
 50:11 67:14
floor 21:19
foggiest 26:8
follow 65:16
followed 65:9,14
following 30:1
follows 5:4
follow-up 51:18
 67:10
force 56:21
foregoing 69:3 70:5

70:17
forklift 7:16 46:21
form 3:8 6:14,20
 17:17 42:16 50:13
formalities 3:7
forth 70:9
found 9:3 50:17
foundation 10:18
 55:23
four 15:22 16:21
 58:18
Friday 1:18
friends 60:23
full 48:10 53:8,9,10
 53:17,17,18
fully 6:2,5
further 3:10 69:4
 70:10,13

G

gallon 43:5,6
gallons 53:5
Gary's 24:13
gasket 28:11
gaskets 11:11,17
 28:6,6 29:11 38:3
 38:4 56:21,23
 57:3
GATEWAY 2:2
GE 8:11,21 9:17
 29:5 34:6 37:5,15
 41:3 55:1 56:9,15
 64:3
gear 19:15
general 1:9 18:18
 18:22 19:13 27:22
 29:21 31:7 32:18
 33:22 36:8 37:9
 37:21 38:6,10,21
 39:6 40:19,21
 41:9,10 44:2 47:2
 49:10,14 50:12
 51:1 56:12 57:14
 66:8,18 67:1
generally 55:2
Georgia 7:21
getting 9:5 16:11
 41:22
give 5:18 19:3,7

31:3
giving 5:18 17:22
gloves 19:15
GLOVSKY 2:15
glues 35:22
go 9:5 58:17 63:11
 66:1
God 62:9
going 6:9,9 10:16
 17:15,17,23 20:4
 20:11 26:5 35:4,7
 35:8,19,21 40:7
 60:22 62:11 63:18
 67:19,20
good 5:7 9:19,23
 10:6,13 29:18,19
 37:23 43:10 58:2
 60:23
Government 2:2
grade 21:19
graduated 32:6
gravities 53:19
gravity 13:21 14:7
 42:5,6 52:9,20,23
 53:13,23 54:7,14
 54:21
grow 50:5
guess 9:2 35:21
 48:3 68:2
guidelines 18:23
guy 10:10 17:10

H

half 26:20 39:20,20
 39:23 40:1 47:15
 57:21
Hampshire 1:2,18
 7:4 70:4
Hancock 1:21 70:2
 70:22
handle 8:18 13:12
handling 18:19,23
 19:3,7
happen 10:4,7
 11:22 15:2 16:1
 21:5,7 30:14,17
 42:2
happened 10:15
happens 43:9 56:17

hard 58:13,16,20
Harvest 24:13
hazardous 21:15
hazards 20:9
HBS 2:12
health 20:9
hear 5:23 17:18
 19:5 30:3 63:19
 63:20 64:7
heard 64:20
heat 39:10,12
heavier 42:20
heavy 15:13
helped 54:2
helping 12:1
hereinbefore 70:9
high 46:19 58:18
 58:18,18
Hooper 38:15,20
 39:4
hopefully 63:18
house 24:11,14
 36:6
hundred 58:14
hurt 19:9 62:12

I

idea 26:9 62:7
identification 4:12
 22:10
imagine 44:9
including 17:16
 41:2 64:2
increase 58:21 59:6
increased 27:14
 58:10
increases 62:5
increasing 58:9
indicated 44:12
indicating 30:10
industrial 21:18
inhaling 19:19,21
insert 62:8
inside 33:19 44:22
instance 3:3 59:15
instruct 20:15
instructing 20:13
instructions 18:18
 19:3,7 30:2 67:14

67:18
intended 34:23
interaction 34:14
interested 53:22
 54:6 70:16
interior 36:6
interject 6:9
intermediate 12:23
Investigator 2:13
Israel 2:13 30:12
 61:13

J

J 2:8
James 1:16 2:13
January 22:6 23:10
 23:14 25:2
job 64:22
jobs 7:14 8:7
Joe 23:18
John 60:22
Johnny 60:22
journals 9:7
JUSTICE 2:2,5

K

K 1:21 70:2,22
Kathryn 2:18
keep 21:9 63:10
 67:15
Kennedy 7:10
kettled 44:21 47:17
 59:22
kids 44:8 61:10
 62:10
kind 7:19 36:2
kinds 44:21
knew 35:7 59:10
know 5:15 6:16
 7:10 8:23 9:3,4,6
 9:8,9,13 10:9,14
 13:7 18:2,8 21:10
 24:6 26:9 27:10
 27:15 28:5,14
 29:1,9,13 30:4
 31:12 33:20 34:9
 35:9,12 36:7 38:2
 38:4,9 39:15,22
 42:19 43:2,23
 44:4 45:16,19,20

45:22 46:23 47:4 47:12,12 48:20 49:19,23 50:11 51:3,9,21 53:17 54:13 58:16,16,17 58:19 60:5 62:5,9 62:11,13,20,21 63:6,13 64:16,19 64:21 65:1,2,3,6,8 65:13 66:13 knowing 54:6 knowledge 64:5	line 20:8,12,16 22:14 69:7 linseed 47:17 59:22 59:22 listed 69:6 listen 5:17 little 16:5 21:4 24:14 44:8 48:16 52:5 53:6 62:10 live 61:4,7 living 62:10 load 12:16 13:22 21:6 28:12,13,21 28:23 29:4 37:3 38:2 48:1 loads 32:8 56:3 local 24:14 location 13:10 18:14 27:7 long 7:12 15:20 16:18,20 44:7 58:15 61:1 longer 60:21 look 25:4,4 40:7 54:16,19 56:7 57:16 looking 53:18 63:21 loose 11:9,10,12 28:18 29:1,5,8,10 38:3,5 39:4 loosened 38:5 lot 26:9 29:1 34:16 39:10 46:17 47:16 55:15,15 66:2 loud 67:5 love 62:12 lucky 23:3	manufacturing 45:14 55:13,16 mark 22:7 marked 22:10 34:4 marketable 42:12 mask 19:15 material 18:6 31:23 32:17 33:9,12,17 33:22 34:2 35:1,4 35:19 36:7 38:23 41:16 42:2,19 45:23 48:21 53:22 65:20 66:7,8 materials 7:17,19 24:17 31:18 45:2 45:13 50:14 64:23 65:12 67:15 matter 5:9 mean 31:6 32:1 36:20 38:2,11 42:23 54:4 59:17 67:19 meaning 44:18 46:1,8 MEANS 70:19 meant 57:14 measure 13:20 meet 15:5 24:8 meeting 24:18,19 meets 15:4 mentioned 16:21 20:22 28:2 31:11 31:12,14 32:17 met 15:1,8 24:12,13 29:20 mile 24:14 Milford 7:4 31:10 41:2,3 49:20 50:11 54:22 55:3 56:19 64:2,3 Mill 27:4,5,13 60:12 61:5,7 MINTZ 2:15 minutes 51:13 missing 11:9,10,12 28:7,18 29:1 56:22 57:2 mixed 8:13 60:3 65:13	Mmm-hmm 57:23 Mm-hmm 5:10 25:6 28:1 40:13 45:3 48:19 55:4 56:13 Mo 2:16 29:20 moment 27:18 money 55:16 months 25:2 41:22 60:10,20 morning 5:7 29:18 29:19 move 15:5	O object 10:17 17:15 17:17,23 20:4,11 26:5 42:16 objecting 20:16 Objection 10:16 55:11,22 57:4 59:1 objections 3:8 6:14 6:19 observation 40:2 observed 39:16 40:4 obvious 36:4 occasion 60:11 Occasionally 13:18 13:18 28:19 occasions 21:1 occur 41:19 occurred 10:14 offer 30:1 Office 1:15 2:11 oh 20:15 22:3 27:7 28:12 30:19 39:7 47:8 58:4,15 60:13 oil 47:18 59:22,23 oils 44:21 47:17 okay 5:23 6:1,7 7:1 13:16,19 16:7 20:18,19 22:15 26:11 27:7,12 29:14 31:2 32:4 33:9 50:16 51:11 52:22 53:16 54:12 54:18 55:15 56:18 57:16 58:5 59:9 60:4 62:18 old 10:7 17:7,13 once 10:2 11:5 16:4 22:13 29:6 40:4 57:8 ones 11:10 21:17 one's 8:12 44:10 opening 53:18 operation 49:7 order 14:7 owned 61:8 owner 34:15
L labels 19:23 land 58:14 59:8,9 large 16:6 larger 32:6 50:1 Laura 2:8 5:8 6:8 17:15 laying 13:2 62:7 leading 17:16 18:1 leak 13:16 38:8,10 39:16 62:6,23 66:11,11 leaked 67:2 leaker 38:2 leakers 38:1 39:21 leaking 10:3,20 11:3 28:3,5,7,8,11 28:13,17 36:21 37:1 39:8 56:16 56:18 66:16,19 leaks 11:14,15 39:11 63:2 learn 35:10 leave 53:6 leaves 52:5 left 18:11 38:6 39:6 44:13,14 46:23 47:7,14 49:19 57:21 58:1 60:22 64:13,21 65:5,19 length 61:9 let's 36:14 59:22 62:17 LEVIN 2:15 light 15:13 limited 20:7	M MA 2:4,13,16 machines 65:22 Madeline 2:21 main 13:12 maintained 37:15 making 22:23 24:5 24:9 47:17 52:6 67:19 manner 30:5		N N 4:1 name 5:7,11 8:12 20:2 23:17,19 24:2 29:20 32:21 32:23 33:3 named 23:23 names 23:2 Nassif 23:18,20 NATURAL 2:2,6 near 61:4,7 need 52:23 neighborhood 62:10,17 neither 70:10 never 8:23 35:6 37:3,13,14 60:3 65:13 new 1:2,17 7:4 11:4 11:16 56:18 57:11 70:4 NEWTON 2:4 NH 1:22 Notary 69:22 70:4 notes 70:6 notice 3:7 25:20 27:12 59:6 60:14 noticed 58:6,22 62:14 number 4:13 14:10 22:4 25:5 34:5 45:2 58:3 59:6 NW 2:7 N-A-S-S-I-F 23:20 N.H 70:23	

P	70:8	products 35:23 36:1,2,9,12	P.O 2:7	recognize 22:18 23:22
page 4:6,13 22:21 40:10 69:7	placed 9:14	Professional 70:3	Q	recollection 37:20 40:18 56:8 66:17
paint 7:4,18 9:11 9:12 31:10,10 36:3,5,6,6 38:17 38:18,19 41:2,3 44:1,14 47:16,17 49:20 50:11 54:23 55:3 64:2,3 67:19	places 32:20 48:4 65:13 67:16	property 25:14,21 26:3,22 57:21 60:12 61:5,8 62:19	quality 54:23 55:10	record 61:11 69:5
paints 44:20	planning 8:22	PROTECTION 2:10	question 5:17,21 17:17 18:1 30:3 31:16 36:4 42:17 44:11 59:5 66:6 66:15 67:10	red 66:12
paperwork 18:22	plans 8:21 34:18	protective 19:14	questioning 20:9 20:12,17 44:12	reference 10:17
par 33:7	plant 8:1,16 13:12 20:3	protocol 65:9	questions 17:16 29:23 30:1,8 41:13 49:16 51:12 51:18,19 67:8,9	referred 38:13
paragraph 25:4,5 40:17,23 54:19 56:7,11 57:13,17 63:22 64:9	point 13:9 20:11 35:3	Public 70:4	quite 21:20 58:10 58:12 63:12	referring 32:10 66:5,7
Pardon 6:3 7:7 9:22 12:7 14:4 26:16 29:3 30:16 38:12 49:12 57:1 61:6	pointing 30:11	Public/Justice 69:22	R	regarding 18:23 22:23 23:9
particular 46:16 66:23	poor 40:19 56:9 57:9	pump 18:15	R 70:1	Registered 70:2
parties 70:12	POPEO 2:15	pumping 15:18	Racicot 60:23 61:4 61:7	related 20:1 70:11
Patrick 23:23	position 62:3	purchase 44:2	read 25:7 40:12 63:22 69:3	relative 70:14
pay 25:23 27:15	possible 65:17	purchased 35:19 36:8 41:10 48:17 48:21 51:22 54:9	reading 6:15,18 25:6 67:23	Remediation 2:11
PC 2:15	possibly 65:21 66:9 66:16	purchasing 43:11 49:2	reads 40:23	remember 7:9 21:17 23:2,3,5,8 23:11,12,15,16 24:6 26:2,21 33:16 41:20 44:6 47:23 56:1 60:22 61:1
PCB's 20:10	posture 20:6,10	purpose 42:21	ready 9:5	remind 5:16
Peace 69:22	pounds 43:6,8	purposes 3:4 20:7	real 43:10	removed 16:19
people 12:1 23:3 24:7	pour 57:11	put 8:18 10:6,22 11:16 12:12 17:4 18:7 53:11 59:21 59:23 60:2 61:22 62:17	realize 36:3	repair 39:9
perfect 28:15	practice 59:13	putting 10:12 46:3	really 10:18 20:8 31:1 34:20 41:21 61:1 66:23 67:6	repeat 5:21 30:5 59:5
performed 14:12	precautions 21:23	pyranol 8:2,4,8,8 8:10,15,21 9:7,14 9:16 10:12 11:2,8 11:18 12:5,8 13:21 15:12 16:1 16:8,16,19 17:4 18:5,19,23 19:4,8 19:19,21 20:1,10 20:21 21:2,8 25:9 25:13 26:15,17 29:4 32:2,12,14 37:10 44:2 45:17 45:22 48:14,17 49:1,4,11,14 50:4 50:8,12 51:21,22 52:9,13,19 55:5 57:22 58:3 59:12 59:15 64:12,13 65:19 66:3	reads 40:23	rephrase 5:21 30:5
period 12:23 25:3 41:20	preferences 6:16		ready 9:5	reporter 1:21 5:3 5:19 59:2 67:23 70:3,3,20,23
person 24:8,16	preliminary 30:8		real 43:10	represent 29:21
personal 40:1	present 2:21		realize 36:3	REPRODUCTI... 70:18
Personally 64:19	President 7:10		really 10:18 20:8 31:1 34:20 41:21 61:1 66:23 67:6	request 14:10 42:3 49:8 52:10
pick 12:19	pretty 9:19 26:23 28:22 36:18 37:23 40:22 58:13,16 60:23		Realtime 70:3	requested 14:9 51:21
picked 10:10 40:18 41:3 55:1 56:9 64:3	prior 43:11		reason 6:1,4 14:18 15:9 39:15 51:5,7 64:17	reserved 3:9
piece 58:13	probably 21:9 38:8 39:19 41:21 52:1 58:14,15		recall 23:17,23 33:3,8 35:15 36:15,16 37:1 41:18,19 44:1 45:4 47:11	resin 44:23 47:17
pile 50:1,3 58:6,8 59:14,21 61:1	procedure 3:6 65:10,14,17		receive 8:21 18:17 49:21	resins 7:22 44:20 44:21 45:13 63:12
piles 46:3 60:8 67:16	proceedings 30:9 30:22		received 47:3 50:12 50:13 66:7,8,17 67:1	RESOURCES 2:2 2:6
place 32:22 62:1	process 16:1 41:19 42:8 43:3,12 45:14 51:1		Recess 27:19 51:15	response 31:16 41:13 44:11
	product 20:7 54:2 55:14 56:20		recirculate 15:20	responsibilities 34:13 50:4
			recirculating 15:18	

responsibility 64:22 65:3	66:14 67:7,10,12 67:22 68:2	show 22:5	11:15 16:1	8:19 13:5,10
responsible 64:23 65:6	Rowley's 30:1	side 13:3,14,15 58:19 61:20 62:4 62:8 66:15	spoke 24:4	25:23 27:3,4,5,5,9
restaurant 24:12 24:14,18	RSA 1:22	signature 3:12 22:20 40:10	spot 8:18	27:13,13 46:4
Restoration 2:11	rule 11:5 16:4,17 38:10 40:21	signed 3:11 22:6 23:14 25:2 40:12 40:14	Sprague 32:23 33:10,13 34:3,8 36:8,15,23 37:4 47:2 66:9,18	60:12,12 61:5,8 61:23
result 11:14,15	Rules 3:5	signing 6:15,18 24:19 68:1	stack 17:9 58:17 59:13	strike 31:22 32:13 49:18
resulted 39:16	rumors 64:20	simply 50:3	stacked 13:13,15	stuff 14:16 34:6 47:18 62:12
review 22:12	run 7:16 16:10,12 17:1	sir 38:11 45:19 64:6	standing 13:1 62:4	submission 3:11
Richard 1:13 4:4 4:14 5:1,12 22:16 68:3 69:2,18 70:7	rusty 28:9	sit 63:18	start 52:12 55:20	Subscribed 69:19
rid 49:6 50:18 52:3 56:4	<hr/> S <hr/>	sitting 18:11,12	started 8:20 16:11 32:7 41:22 46:3,3 52:13,15,18 54:12 55:6	substantial-enou... 58:21
right 6:21 13:1,9 18:13 21:9 27:6 30:7,13 37:19 39:13 41:17 42:10 42:13,15 43:15 45:15 50:6 51:10 53:4,19 54:15 55:9 57:5,12,15 57:22 59:8 66:3	safe 60:17	small 30:20 32:5	starts 51:12	sudden 9:4
rings 24:2	safety 18:23 21:23	sold 35:10,12 41:11 57:18 64:15,18	state 5:11 70:4	suggested 43:8
rinse 17:13,21 65:22	sake 5:19	solvents 65:22	stated 56:11 57:17	Suite 2:2,12
RMR 1:21 70:22	sale 42:14	somebody 23:11,13 23:17 24:8 46:6	statement 64:8	sun 39:14
road 5:14 61:15	sample 14:22 15:1	soon 45:7	statements 40:15	supplied 7:16
rods 61:16	saves 55:15	sorry 6:9 38:18 49:13 64:8 67:4	states 1:1,5,16 5:9 31:6 40:17	supply 55:13
roll 62:9	saw 37:14 45:5 46:15 47:13 50:3 60:8	sort 33:22 47:18	stenographer 63:19	suppose 39:19
roof 21:21 35:16 36:5,13,14	says 54:20,23 56:8	space 53:6	stenographic 70:6	supposed 39:9
room 2:7 61:10,11	scared 62:11	special 18:17 19:3 19:7	stenotype 3:3	sure 6:23,23 10:18 20:8,19 33:16 45:23 48:12 55:22 59:10
route 38:5	Schadinger 2:18	specific 7:14 13:21 14:7,9 23:9 42:5,6 52:9,20,23 53:12 53:19,23 54:7,13 54:21 66:16	stipulations 3:1 6:10	swear/affirm 69:2
row 34:8,9 60:1,2	scrap 8:8 18:5	specifically 9:14 54:19	stop 38:9	sworn 5:2 69:19 70:8
Rowley 2:8 4:7,9 4:11 5:6,8 6:11,17 6:20,22 7:1,2 10:20 11:1 17:20 18:3 20:19,20 22:7,11 26:7,10 27:17,20 29:14 31:16 41:14 42:16 44:11 51:12,17 55:19 56:6 57:6 59:4,19 61:3,11 61:14,18 63:14	second 22:20	specks 16:11,14,19 18:6 49:5,6 50:18 50:19 52:3,4,6 55:21 56:4	stopped 25:10,15 25:17 26:3 27:14 57:20 58:2,7 60:9 60:10,18	<hr/> T <hr/>
	seconds 39:3	specifications 15:2 15:4,8	store 12:12 13:2,13 34:5 44:23 50:4 59:15 67:15	T 70:1,1
	section 15:5	spill 11:2,18 12:5,8 16:2,5 20:22 21:1	stored 12:20,22 13:17 25:9,13,21 34:3,7 37:7,15 46:16 47:3 50:4 59:11 61:19,20 62:2,4,4,23 65:12 66:15	take 13:10 14:7 21:23 27:17 46:20 51:13 53:10 55:7 61:17
	see 14:18,21 15:9 19:1,23 23:22 43:9 45:22 53:2	spilled 21:7 67:2	strategies 34:19	taken 1:15 3:2,9 27:19 51:15 52:4 56:2 70:8,13
	seeing 60:22	spills 10:14 11:14	Street 1:17 2:7,12	talk 24:15 30:20,22 36:14 48:23 49:10 49:13
	seen 38:8 39:4,7 53:16			talked 34:16,17 41:14 48:16 50:10 51:19 56:14 58:5 66:2
	sell 17:11 35:8 41:4 64:4			talking 32:1 47:6
	sense 6:18 30:6 60:7			tank 15:17,18 29:13
	separation 39:23			tanks 44:22,22
	set 39:9 70:9			
	seven 7:13 34:11,12			
	shape 10:1,5 37:23			
	shellacs 36:6			
	shines 39:14			
	shipped 33:10,12			
	shop 44:22			
	short 27:17			
	shot 7:10			

tell 19:14,18 22:2 66:22 telling 67:6 temperature 62:6 term 8:2 10:21 test 13:20 53:12 tested 14:17 15:7 54:21 testified 5:3 49:17 52:12 57:7 64:14 testify 6:2,5 testimony 31:3 39:2 42:1 69:4,5 testing 14:12 52:8 52:19,22 them's 62:11 they'd 9:1 28:14,14 thing 8:4 59:21 things 16:9,15 44:6 48:10 55:12 63:11 think 7:13 8:11,11 10:20 22:13 23:21 24:3,13,21,23 25:22 29:14 31:11 31:12 32:21 36:13 41:6,21 44:4 47:21 48:4,5 51:11 56:3,10 58:10 64:10 66:21 67:22 thirty 3:11 thousand 26:12 three 15:22 16:21 18:10 23:7 29:8 37:3 56:3 58:18 tight 63:10 tighten 11:17 tightened 38:9 till 6:14 time 3:9 6:14 11:23 12:17,18,23 18:16 19:12 20:6 25:3 25:14 29:11 41:20 44:7 45:5 46:11 46:23 47:6,13 49:3,19 50:20 55:3,16,16 63:7 63:10 65:5 times 24:10 28:14	53:7,9 63:23 today 6:2,5 29:23 31:3 51:1 64:14 66:2,17,23 today's 30:9,22 told 19:9,10 41:7 53:15 top 53:4 total 48:8 tractor-trailers 32:8 46:19 traffic 36:5 44:23 trailer 46:20 transcribed 3:4 transcript 4:18 69:3 70:6,18 transferring 11:3 transport 38:23 transported 37:16 travel 37:9 treat 16:7 trial 3:9 6:15 tried 43:9 63:9 truck 8:14 9:17 11:8 12:12,18 32:5,6,7,10 33:15 33:15 38:17 39:8 48:1 trucks 7:17,20 8:8 11:21 12:2,16 20:23 31:18,22 32:9 38:20 65:1 true 40:15,20 41:5 56:11 64:5,8 69:4 70:5 truthfully 6:2,5 try 9:1 35:8 43:9 63:18 trying 32:21 twice 61:9 two 18:10 28:12 29:7 37:2 44:22 48:4 56:2 61:16 typically 8:14	35:4 39:2 54:16 64:12 understanding 32:15 35:18 39:3 41:8 49:18 64:11 64:14 understood 32:16 United 1:1,5,15 5:8 31:6 unload 7:19 8:14 12:2,3 33:9 34:21 unloaded 7:17 9:17 12:11,17 31:18 unloading 8:7 11:7 11:21 20:23 36:15 64:23 unsafe 22:2 use 10:11,21 21:19 35:19 41:4,11 42:11,22 43:2 52:5 57:18 64:4 67:21 useful 20:7 usual 6:13 usually 10:22 11:16 13:1 14:13,15 15:6,22 16:23 17:2 20:2 34:4 U.S 2:2,5,10	56:4 warning 19:23 Washington 2:8 wasn't 52:23 67:17 waste 7:23 wave 67:8 wax 21:19,19 way 15:9 16:8 30:15,17 62:17 65:8 67:6 wear 19:14 weather 39:17 62:5 62:22 Webtex 35:12,13 35:15,19 41:4 42:14 43:1,14,20 48:16,17,23 49:8 51:21,22 52:9 54:5,6 55:5,20 57:19 64:4,15,18 Webtex's 43:16 week 67:20 weeks 45:9,10 47:8 58:7 60:8,9,17 weight 43:4 went 13:4 15:5 32:6 33:14 47:9 61:1 weren't 36:21 38:10 46:11 Wesson 19:12 54:20 We'll 51:13 we've 63:22 66:2 Whiting 7:21 Whitney 1:13 4:4 4:15 5:1,7,12,15 7:3 22:9,16 27:21 29:18 40:9 41:5 43:23 49:17 63:17 66:6 67:9 68:3 69:2,18 70:7 wide 58:15 61:16 width 61:15 wife 61:10 William 2:16 Wilton 5:14 witness 4:3 10:22 17:18 18:2 25:6 26:8 55:12 56:1	57:5 59:3 61:15 67:23 69:1 word 61:17 work 7:3,12 21:11 44:14 47:9 55:15 worked 11:23 19:2 19:6 21:22 22:3 31:14 34:10 44:4 working 19:15 20:21 21:9 25:10 25:15,17 26:3 27:14 46:8,11 52:16 57:20 58:2 58:7 60:9,10,18 63:8,9 67:13 Works 7:4 31:10 31:10 36:3 41:2,3 44:1 49:20 50:11 54:23 55:3 64:2,3 worse 55:2,10 66:20 wouldn't 19:9 29:6 53:9 55:7 65:8 write 5:20 wrong 28:15 39:4
X				
X 4:1				
Y				
yard 14:6 18:13 yeah 8:3,6 11:13,16 12:10 13:11,11,15 13:18,22 14:2,11 14:11 16:3,10 21:13,16,16 22:3 22:13,19,22 24:2 24:10 25:8,16,19 26:18,23 27:8 28:4,4,19,22 29:12 30:19,21 32:11,16,19,21 33:2,11,18 34:1,8 34:12,16,16 35:12 35:14,21 36:1,11 36:18 37:8 38:22 39:1,7 40:3,6,11 40:21 41:6,6,15 42:7 43:4,17,19 44:8,15,17 45:11				

45:18 46:2,6,10	22 4:15			
46:17 47:5 48:7,9	25 59:23 60:1,1			
48:11 49:9 50:9	29 4:8			
50:22 52:14,17,21				
54:1,1,8 56:17	3			
57:10 58:4,10,11	30 3:11 56:18 58:15			
60:13,19 61:9,23	331-B 1:22			
62:16 63:1 64:10	34 61:16			
64:10 65:21	35 61:16			
year 41:22 44:5				
52:15,18	4			
years 7:9,13 13:8	40 13:8 58:15			
22:4 23:7 24:22	48 44:10			
34:11,12 60:10				
York 56:18	5			
youngest 44:10	5 4:7			
Yup 31:20	50 13:8			
	500 47:22			
0	51 4:9			
02111 2:16	53 1:17			
02114-2023 2:13	55 1:22			
02458 2:4	55-gallon 53:5			
06-CV-00354-PB	58 53:4			
1:7	59 53:4			
1	6			
1 4:14 22:8,9 40:8	6 40:17 56:7 57:13			
54:17 63:21	60 56:20			
1,000 48:2,6	601 2:7			
10 43:7 61:12	616 2:2			
10:00 1:19	63 4:10 7:11			
10:11 27:19	67 4:11			
10:12 27:19	7			
11:00 51:15	72 5:14			
11:10 51:15	7611 2:7			
11:30 68:4	8			
1100 2:12	8 25:4,5 40:23			
12 43:6	57:17 63:22 64:9			
2	9			
2 40:10	9 54:19			
2,000 44:13 45:1,5				
46:15 48:5,7,12				
57:21				
20 1:18 61:13,14				
200 47:19				
20004 2:8				
2007 1:18 23:10				
25:2 69:20				
2121 2:7				